

**United States District Court
Northern District of Alabama
Southern Division**

In re:]
Silicone Gel Breast Implant Products] Master File No. CV-92-N-10000-S
Liability Litigation (MDL 926),]

In re all Cases Listed on Appendix A to This Order:

Order No. 61

Since June of 1992, approximately 27,500 cases have been transferred from other courts to this court as a part of MDL 926. Most of those have been disposed of by the original MDL transferee judge. There remain pending, however, approximately 50 such cases, the oldest since December 15, 1992. Some of those appear to be dormant, or otherwise lacking in attention. Because the undersigned has recently been designated as successor transferee judge and lacks the requisite “corporate” memory to evaluate the current status of most pending cases, it is necessary to request the assistance of counsel. Accordingly, with regard to each case listed on Appendix A¹ to this order:

Within thirty (30) days of the date on which this order is entered, counsel for the parties, or the parties themselves, if *pro se*, shall confer, prepare a written report, and file such report with the court. The written report required by this order shall address each of the following matters:

¹ Counsel and *pro se* parties are advised to carefully examine the list of cases set out on Appendix A and to obtain more complete information about them. As can readily be seen, party designations are abbreviated and only case numbers applicable in the Northern District of Alabama are listed. Case numbers from transferee courts are not listed. For registered PacerNet users, however, complete information can be found by visiting the court’s PacerNet site at <http://pacer.alnd.uscourts.gov/>. Those parties and counsel who are not registered PacerNet users may register and obtain log-in credentials by going to <http://www.pacer.psc.uscourts.gov>. PacerNet is a fee based service of the federal courts that is provided at a nominal cost to users.

1. The identity of each remaining party together with the name and correct current mailing address and telephone number of all counsel for each such party;²
2. The current status of the case in this court, including a succinct but complete statement of *all* that remains to be done here before the case may be remanded to the applicable transferor court;³
3. A detailed plan, along the lines of Fed. R. Civ. P., Rule 16(b), for accomplishing everything that must be done here within six (6) months of the date the report is filed;
4. A statement showing why the action may not be immediately remanded to the transferor court, subject to the applicability of all pertinent orders that have been entered in MDL 926 cases in this court; and
5. Any other matters that the parties deem appropriate or necessary for discussion with the court.

Done, this _____ of June, 2000.

s/ Edwin Nelson
Edwin Nelson
United States District Judge

Service List:
Plaintiffs' Counsel
Defendants' Counsel
Plaintiffs' Liaison Committee
Defendants' Liaison Committee
Office of Plaintiffs' Liaison Counsel

Post on MDL 926 WEB page.

²If a party is appearing *pro se*, this information should be provided for that party.

³The court is aware that some listed cases were initially filed in this court and, thus, are not subject to remand. For cases originally filed here, counsel and parties should devise a plan to ultimately dispose of the case here in a timely fashion.

Appendix A to Order 61**Pending MDL 926 Cases
Northern District of Alabama**

Case Number	Parties	Filed/Re-opened	Days Pending	Jurisdiction
2:92cv11272	Brown et al v. Dow Corning Corp et al	12/15/92	2751	Cause:28:1332
2:93cv11437	Hester v. Syntec Inc.	5/18/93	2590	Cause:28:1332
2:93cv12589	Langford v. Heyer Schulte	8/30/93	2486	Cause:28:1332
2:93cv13267	Kelley v. MN Mining & Mfg	10/13/93	2442	Cause:28:1332
2:94cv11349	Wilson v. Dow Chemical Company	3/18/94	2286	Cause:28:1332
2:94cv13290	Cifers, et al v. American Heyer	6/16/94	2196	Cause:28:1332
2:94cv13297	Vassallo, et al v. McGhan Medical	6/24/94	2188	Cause:28:1332
2:94cv13299	Resiniti, et al v. Dow Corning Corp	7/5/94	2177	Cause:28:1332
2:94cv14615	Wright, et al v. Porex Technologies	12/22/94	2007	Cause:28:1332
2:94cv14660	Johnson, et al v. Corning Inc	12/30/94	1999	Cause:28:1332
2:94cv14659	Lewis, et al v. Corning Inc	12/30/94	1999	Cause:28:1332
2:95cv10068	Celantano v. Dow Corning Wright	2/24/95	1943	Cause:28:1332
2:95cv10066	Ward v. Dow Corning Wright	2/24/95	1943	Cause:28:1332
2:95cv10069	Nodar, et al v. Corning Inc	3/7/95	1932	Cause:28:1332
2:96cv12397	Lambert, et al v. Baxter Healthcare	10/7/96	1352	Cause:28:1332
2:97cv10018	Harrison v. Bristol-Myers Squibb	1/9/97	1258	Cause:28:1332
2:97cv10188	Elois Carden et al v. Porex	3/25/97	1183	Cause:28:1441
2:97cv10653	Thompson v. Baxter Healthcare	6/16/97	1100	Cause:28:1332
2:97cv10737	Bunker v. Baxter Healthcare	7/7/97	1079	Cause:28:1332
2:97cv11029	Kish-Roselle v. Baxter Healthcare	9/11/97	1013	Cause:28:1332
2:97cv11125	Rodriguez v. Mcghan Medical	9/11/97	1013	Cause:28:1332
2:97cv11348	Jolly v. Dow Corning	10/7/97	987	Cause:28:1332
2:97cv11347	Weber v. Dow Corning	10/7/97	987	Cause:28:1332
2:97cv11386	Trimm v. Baxter Healthcare	10/8/97	986	Cause:28:1332
2:97cv11402	Mcbean v. Baxter Healthcare	10/21/97	973	Cause:28:1332
2:97cv11495	Thompson v. Bristol-Myers	10/27/97	967	Cause:28:1332
2:97cv11728	Von Hasliner v. Baxter Healthcare	11/12/97	951	Cause:28:1332
2:98cv11297	Ferriell v. Baxter Healthcare	2/5/98	866	Cause:28:1332
2:98cv12344	Auzenne v. Baxter Healthcare	11/18/98	580	Cause:28:1332
2:98cv12328	Clift v. Baxter Int'l	11/18/98	580	Cause:28:1332
2:98cv12351	Cullins v. Baxter Healthcare	11/18/98	580	Cause:28:1332
2:99cv10074	Soumokil v. Baxter Healthcare	4/16/99	431	Cause:28:1332
2:99cv10096	Murray v. Baxter Healthcare	5/24/99	393	Cause:28:1332
2:95cv10562	Fritts, et al v. Dow Corning	6/10/99	376	Cause:28:1332

Case Number	Parties	Filed/Re-opened	Days Pending	Jurisdiction
2:99cv10100	Puckett, et al v. Minnesota Mining	6/17/99	369	Cause:28:1332
2:99cv10104	Borders v. Baxter Healthcare	6/28/99	358	Cause:28:1332
2:99cv10119	Leach v. Baxter Healthcare	8/5/99	320	Cause:28:1332
2:99cv10124	Gonzalez v. McGhan Medical	8/5/99	320	Cause:28:1332
2:99cv10120	Hernandez v. Bio-Manufacturing	8/5/99	320	Cause:28:1332
2:99cv10111	Harris v. Bristol-Myers	8/5/99	320	Cause:28:1332
2:99cv10113	Ellis v. Minnesota Mining & M	8/5/99	320	Cause:28:1332
2:99cv10134	McCorkle, et al v. Surgitek Inc	9/23/99	271	Cause:28:1332
2:99cv10145	Jolly v. Laboratories Sebbin	11/22/99	211	Cause:28:1332
2:97cv11829	Housley v. McGhan Medical Corp	2/9/00	132	Cause:28:1332
2:00cv10004	Blake-Swaratz, et al v. 3M	3/9/00	103	Cause:28:1332
2:00cv10005	Wilson, et al v. Bristol-Myers	3/9/00	103	Cause:28:1332
2:00cv10006	Charles, et al v. Bristol-Myers	4/6/00	75	Cause:28:1332
2:00cv10007	Stafford, et al v. McGhan Medical	4/6/00	75	Cause:28:1332
2:00cv10009	Walker v. Baxter Healthcare	5/4/00	47	Cause:28:1332
2:00cv10012	Charles, et al v. Baxter International	6/5/00	15	Cause:28:1332
2:00cv10013	Raskin, et al v. Baxter International	6/5/00	15	Cause:28:1332